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Buesing Corporation

7
8 **UNITED STATES DISTRICT COURT**

9 **DISTRICT OF NEVADA**

10 BUESING CORPORATION, an Arizona
corporation,

11 Plaintiff,

12 vs.

13 HELIX ELECTRIC OF NEVADA, LLC,
a Nevada Limited Liability Company, dba
14 HELIX ELECTRIC,

15 Defendants.

16
17 AND RELATED CLAIMS.

Case No. 2:16-cv-01439-JCM-NJK

**STIPULATION AND ORDER TO TRY
MATTER TO THE BENCH**

18
19 Pursuant to Local Rule IA 6-2 and *Federal Rules of Civil Procedure* Rule 38(d),
20 Plaintiff/Counter-Defendant Buesing Corporation (“Buesing”) and Defendant/Counterclaimant
21 Helix Electric of Nevada, LLC (“Helix”), through their undersigned counsel of record
22 (collectively “Parties”), hereby agree and stipulate to the withdrawal of each of the Parties’
23 previously-filed jury demands so the trial of this matter can be tried to the bench. It is hereby
24 stipulated:

25 1. On June 21, 2016, Buesing filed its Demand for Jury Trial (ECF No. 4).

26
27 2. On July 13, 2016, Helix filed its Demand for Jury Trial (ECF No. 10).

28

3. The contract governing the Parties' disputes provides for a waiver of a trial by jury by stating:

X. DISPUTE RESOLUTION

...

(6) Trial by Jury. Due to the specialized nature of construction litigation, each party waived the right to trial by jury.

4. Both Parties agree to withdraw their respective demand for jury trial.

5. Given the Parties' agreement to withdraw all filed jury demands as well as the express jury waiver in the governing contract, the Parties' request that the Court tries this matter as a bench trial.

Dated this 6th day of June, 2019.

Dated this 6th day of June, 2019.

DICKINSON WRIGHT PLLC

PARKER, NELSON & ASSOCIATES,
CHTD.

/s/ Cynthia L. Alexander

/s/ Shana D. Weir

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ORDER

IT IS SO ORDERED:



U.S. DISTRICT COURT JUDGE

DATED: June 10, 2019
